

1 LAURENCE F. PULGRAM (CSB NO. 115163)
2 *lpulgram@fenwick.com*
3 LIWEN A. MAH (CSB NO. 239033)
4 *lmah@fenwick.com*
5 FENWICK & WEST LLP
555 California Street
San Francisco, CA 94104
Telephone: (415) 875-2300
Facsimile: (415) 281-1350

6 PATRICK E. PREMO (CSB NO. 184915)
7 *ppremo@fenwick.com*
8 DENNIS FAIGAL (CSB NO. 252829)
9 *dfaigal@fenwick.com*
10 FENWICK & WEST LLP
11 Silicon Valley Center
801 California Street
Mountain View, CA 94041
Telephone: (650) 988-8500
Facsimile: (650) 938-5200

12 Attorneys for Plaintiff
13 SUCCESSFACTORS, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 SUCCESSFACTORS, INC., a Delaware
18 corporation,

19 Plaintiff,

20 v.

21 SOFTSCAPE, INC., a Delaware
22 corporation; and DOES 1-10, inclusive,

23 Defendants.

Case No. CV 08 1376 CW

**DECLARATION OF PATRICK PREMO IN
SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

24 I, Liwen Mah, declare as follows:

25 1. I am an attorney with the law firm of Fenwick & West LLP, counsel to Plaintiff
26 SuccessFactors, Inc. ("SuccessFactors"). I am an attorney admitted to practice before this Court.
27 I submit this declaration regarding Plaintiff SuccessFactors, Inc.'s administrative motion to file
28 portions of the parties' Joint Case Management Statement under seal. If called upon, I could and

1 would testify competently thereto.

2 2. On April 23, 2008, the Court issued a Protective Order in this case. Docket No. 89.

3 3. The fact section of the Joint Case Management Statement includes information
4 that was designated as confidential, under the terms of the Protective Order, in Softscape, Inc.'s
5 ("Softscape") discovery responses or deposition testimony, specifically

- 6 • Page 2:11-14
- 7 • Page 2: 28
- 8 • Page 3:1-18
- 9 • Page 3:20-26
- 10 • Page 4:1-8

11 These are the only portions of the Joint Case Management Statement to be filed under seal.

12 4. It is my understanding that Softscape has designated this information confidential
13 on grounds that it pertains to Softscape's sensitive customer information or business practices.

14 I declare under penalty of perjury under the laws of the United States of America and the
15 State of California that the foregoing is true and correct, and that this declaration was executed
16 this 12th day of June, 2008, in San Francisco, California.

17
18 /s/ Liwen Mah

19 Liwen Mah
20
21
22
23
24
25
26
27
28